IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C. Y. SOMAYAJULU

Writ Petition No.16885 of 2000

Dated: 07-09-2007

Between:

T. Brahmaiah Chowdary, s/o T. Venkatanarayana,
r/o H.No.473, Street No.6,
Dayanand Nagar, Vidyanagar,
Hyderabad – 44.

... Petitioner

and

1. Government of Andhra Pradesh,
   rep. by its Secretary,
   Department of Home,
   Secretariat,
   Hyderabad and 6 others.

... Respondents

ORDER:

Smt. G. Jhansi, advocate, representing Sri B. Adinarayana Rao, learned counsel for petitioner, states that the writ petitioner has taken away the record from them and had engaged Sri T. Subrahmanyam, advocate, and that Sri T. Subrahmanyam, advocate died more than seven months back and request the Court to order notice to the writ petitioner.

2. Since the party, who has taken away the record from a

counsel, has a duty to take care of his case and to see that another advocate appears on his behalf, and if the counsel engaged by him dies, he has to engage another advocate. It is not the duty of the Court to send notice to the writ petitioner informing him about the death of his counsel with a reminder to engage another counsel.

So I do not see any ground to issue notice, at the cost of the exchequer, to the writ petitioner informing him that he should come and appear before the Court and prosecute his writ petition by appointing a fresh counsel. Writ petitioner has a duty to take care of his case and prosecute the petition with due diligence.

3. Writ petitioner is called absent.

4. Hence, the writ petition is dismissed for default.

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JUSTICE C. Y. SOMAYAJULU

Dt.07-09-2007
GLV